

Amendment Number 3
to
Contract Number DIR-SDD-214
between
State of Texas, acting by and through the Department of Information Resources
and
Designs That Compute dba Visionality

This Amendment Number 3 to Contract Number DIR-SDD-214 (“Contract”) is between the Department of Information Resources (“DIR”) and Designs That Compute dba Visionality (“Vendor”). DIR and Vendor agree to modify the terms and conditions of the Contract as follows:

1. Contract, Section 2, Term of Contract, is restated as follows:

DIR and Vendor hereby agree to extend the term of the Contract for one (1) year through November 22, 2008. Prior to expiration of the term, DIR and Vendor may extend the Contract, upon mutual agreement, for up to one (1) optional one-year renewal term.

2. Contract, Section 8, Authorized Exceptions to Appendix A, Standard Terms and Conditions for Product and Related Services Contracts, is hereby updated to include the following:

- i. All references to Catalog Information System Vendors (CISV) are hereby deleted.
- j. All references to Texas Building and Procurement Commission (TBPC) are hereby revised and replaced with Texas Comptroller of Public Accounts (CPA).

3. Appendix A, Section 4, Definitions, A. Customer, is hereby restated as follows:

A. Customer - any Texas state agency, unit of local government, institution of higher education as defined in Section 2054.003, Texas Government Code, and those state agencies purchasing from a DIR contract through an Interagency Agreement, as authorized by Chapter 771, Texas Government Code, any local government as authorized through the Interlocal Cooperation Act, Chapter 791, Texas Government Code, and the state agencies and political subdivisions of other states as authorized by Section 2054.0565, Texas Government Code and, except for telecommunications services under Chapter 2170, Texas Government Code, assistance organizations as defined in Section 2175.001, Texas Government Code to mean:

- 1) A non-profit organization that provides educational, health or human services or assistance to homeless individuals;
- 2) A nonprofit food bank that solicits, warehouses, and redistributes edible but unmarketable food to an agency that feeds needy families and individuals;
- 3) Texas Partners of the Americas, a registered agency with the Advisory Committee on Voluntary Foreign Aid, with the approval of the Partners of the Alliance Office of the Agency for International Development;
- 4) A group, including a faith-based group, that enters into a financial or non-financial agreement with a health or human services agency to provide services to that agency’s clients;
- 5) A local workforce development board created under Section 2308.253;

- 6) A nonprofit organization approved by the Supreme Court of Texas that provides free legal services for low-income households in civil matters;
 - 7) The Texas Boll Weevil Eradication Foundation, Inc., or an entity designated by the commissioner of agriculture as the foundation's successor entity under Section 74.1011, Texas Agriculture Code;
 - 8) A nonprofit computer bank that solicits, stores, refurbishes and redistributes used computer equipment to public school students and their families; and
 - 9) A nonprofit organization that provides affordable housing.
3. All other terms and conditions of the Contract as amended, not specifically modified herein, shall remain in full force and effect. In the event of conflict among the provisions, the order of precedence shall be Amendment Number 3, Amendment Number 2, Amendment Number 1 and then the Contract.

IN WITNESS WHEREOF, the parties hereby execute this amendment to be effective as of the date of the last party to sign but in all events no later than November 22, 2007.

Designs That Compute dba Visionality

**The State of Texas, acting by and through
the Department of Information Resources**

By: signature on file

By: signature on file

Name: Howard Barnett

Name: Cindy Reed

Title: President

**Deputy Executive Director
Title: Operations & Statewide Technology Sourcing**

Date: 11/07/07

Date: 11/09/07

Legal: 11/08/07